

REMARKS/ARGUMENTS

Claims 1-46 were pending. Claims 1, 2, 4, 7, 10-13, 17, 23 and 42-44 have been amended, claims 5, 14-16, 25-41 and 45-46 have been canceled and new claims 47-58 have been added. Therefore, upon entry of this amendment, claims 1-4, 6-13, 17-24, 42-44 and 47-58 will be pending. The pending claims are similar to those previously presented in parent application serial no. 09/605,070. Canceled claims 26-41 are currently pending in a divisional application claiming priority to parent application serial no. 09/605,070

Claim 1 has been amended to particularly point out an aspect of the invention. In particular, claim 1 has been amended to recite, in part, " providing the first episodic game module to at least one user computer such that only a first portion of the complete storyline content is currently available; thereafter altering the first portion of the storyline content to include a game-related reference to a current real-world event, said current event occurring after said first episodic game module is transmitted to the at least one user; and providing the reference to the at least one user." Support for this amendment can be found in the specification, for example, at page 7, lines 1 to 4; page 13, line 7 to page 14, line 20 and page 33, lines 4 to 18. This amendment is directed to the aspects of the invention that advantageously allow an application developer to alter the storyline arc after the initial delivery of an episodic game module, transparent to the user. For example, using any of the various transport mechanisms disclosed in the application, *e.g.*, e-mail, fax, voice mail, etc., a reference to relevant real world current events occurring after an episodic game module has been delivered may be provided to a user as part of game play. An example, as shown on page 33, could be an e-mail message to the user advising the user to access a news site wherein an actual news story, or a fabricated news story related to the real world event, related to the content of the storyline may be viewed.

Claims 7 and 42-43 have also been amended to include similar limitations as were added to claim 1, support for which can be found in the specification as per claim 1, above.

Claim 10 has been amended to particularly point out an aspect of the invention. In particular, claim 10 has been amended to recite, in part, "responsive to the current state indicating that a conditional action has been performed, enabling new episodic content to be accessed by a user; and responsive to the current state indicating that a time limit for performing

the conditional action has been exceeded, automatically transmitting new episodic content to the user." Support for this amendment can be found in the specification, for example, at the paragraph beginning on page 6, line 16, and the paragraph beginning on page 20, line 12. This amendment is directed to aspects of the invention that advantageously provides for managing the pace of play to enable a communal gaming experience among several players, for example, by providing content upon a player accomplishing a task, and by scheduling delivery of content to a player that hasn't completed a task in a certain time.

Newly added independent claims 55 and 58 also include similar limitations as were added to claim 10, support for which can be found in the specification as per claim 10, above.

Newly added independent claim 53 includes, in part, the limitations of "implementing the episodes into a sequence of episodic game modules; and for each user, transmitting each of the episodic game modules to the user's computer on a conditional basis, such that the plurality of users reach the same points in the game at approximately the same time." Support for these limitations can be found in the specification at, for example, the paragraph beginning on page 6, line 16, and at page 21, lines 3 to 17. These limitations are directed to aspects of the invention that provide for a communal gaming experience among a plurality of players, wherein the players may enjoy playing in an environment in which they know that other players are also experiencing the same entertainment at approximately the same time frame. For example, conditional transmittance of a game module may be predicated on a player accomplishing a specific task, or it may be time based, such that if a player, for example, does not perform a specific task in an allotted time frame, a module may be transmitted to ensure that the players reach the same points or stages in the game at approximately the same time.

CONCLUSION

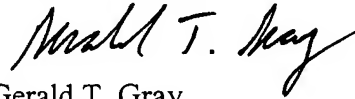
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Amdt. dated December 1, 2003
Preliminary Amendment

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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